

**Rabbinical Council of America**

**Guidelines**

**for Creating and Maintaining a Kosher Eruv**

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by  
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This document has received the approval of Rav Hershel Schachter and Rav Mordechai Willig.

In this outline we present protocols for community Eruvin to be maintained at an appropriate Halachic standard, based on experience. Proper standards can be met by strictly adhering to the outlined protocols. We shall focus our discussion on four components that are crucial to the success of a community Eruv - the Posek, the community Rav, the weekly inspectors, and the community.

**The Posek**

Creating and maintaining proper Eruvin involves complex Halachic issues. A Posek of eminent stature must be consulted to issue Halachic rulings regarding a community Eruv. The qualifications of someone to serve as a Posek for a community Eruv are as follows:

1. He must be expert in Gemara and Rishonim as well as the many Acharonim (especially the Chazon Ish, who is widely regarded as having great authority perhaps even more than the Mishna Brura in this area of Halacha) who discuss the practical details of Eruv design and construction.
2. He must have extensive practical experience in dealing with community Eruvin such as working in the field with utility poles.
3. He must be widely recognized in the Orthodox community as an authority in the field of Eruv.
4. He or his delegate must be available to visit the Eruv and field questions as they arise.

The Posek must set standards and protocols for the community. He must set optimal standards as well as emergency (Sha'at Hadechak) standards such as when a problem arises shortly before the onset of Shabbat. He must establish protocols in determining the standards for both the creation of the Eruv and maintaining the Eruv. For example, he must establish how often utility wires be inspected and if river banks or used, how often

they must be checked to insure that they remain at a proper angle and height to serve as part of an Eruv. Rav Gavriel Bechoffer, author of the Contemporary Eruv, has suggested that the Posek should be asked to review the Eruv twice every seven years (following the Mezuzah model, Shulchan Aruch Yoreh Deah 291:1).

No change in the Eruv should be made without consulting the Posek.

### **The Local Rav**

1. He must have extensive training and knowledge of Hilchot Eruvin both in theory and practice. We cannot rely solely upon the fact that a Rav of eminent stature designed and once inspected the Eruv. Eruvin are quite vulnerable to weather, vandalism, and utility company workers reconfiguring utility poles and wires. Eruvin become disqualified quickly and often, especially if it is a very large Eruv. The community depends on the local Rav to facilitate and supervise repair of the Eruv in a proper manner.
2. He must insure that there is an extensive and clear written record of every detail of precisely how the Eruv is constructed. Every change in the Eruv's construction must be duly noted in writing.
3. He must be intimately familiar with every detail of the Eruv.
4. He must be involved in the inspection of the Eruv on a regular basis. Ideally (although it is most often impractical), the Rav should be the one who inspects the Eruv each week as did the Chazon Ish in Bnei Brak reportedly did every Friday morning even in the most inclement weather (Pe'eir HaDor 2:136 and 285). Similarly, the Chafetz Chaim's son (Dugma MiDarkei Avi zt"l 63:14) writes that his father "scrupulously supervised the Eruvin in his city". Experience teaches that when community rabbis do not attend to the community Eruv, the Kashrut of the Eruv deteriorates. The community Rav should conduct a full walking inspection of the Rav at least once a year. The best (though not always practical) way to conduct a yearly inspection of an Eruv is to inspect it on foot. One notices things on foot that one does not notice while being driven.
5. He must understand when it is appropriate to consult the Eruv's Posek.
6. He must insure that the Eruv adheres to the highest standards of ethics and safety. Rav Yosef Dov Soloveitchik insists (heard directly from the Rav speaking to community rabbis visiting him in 1985) that any portion of the Eruv should not be constructed without obtaining the necessary permission. Eruvin must be a source of Kiddush Hashem in the community. Rav Hershel Schachter believes (personal conversation, 1989) that claiming "Zeh Neheneh V'Zeh Lo Chaser" (Bava Kama 20) is an inadequate excuse to defend placing a Lechi on another individual's property without permission. He explains that in a case of "Zeh Neheneh V'Zeh Lo Chaser" Beit Din does not compel payment, but that it does not imply that one is permitted L'chatchilah to benefit from another's property without permission (see Pitchei Teshuvah Choshen Mishpat 363:6 and Aruch HaShulchan C.M. 363:16).

7. Alternative routes to the Eruv must be explored in case of recurrent problems in specific portions of the Eruv.
8. He must insure that Sha'at Hadechak standards do not evolve into becoming the conventional standards for the Eruv. For example, a "Lechi" that was attached to a utility pole shortly before Shabbat in a less than optimal fashion, should not remain a permanent component of the Eruv (see, for example, the citation of a conversation with Rav Shlomo Zalman Auerbach in Gray Matter 1:183).
9. He must insure that the Eruv Chatzeirot and Sechirat Reshut remain updated and cover the entire Eruv encompassed by the Eruv (whenever the Eruv is expanded one must be sure that the area is included in the Sechirat Reshut). Rav Schachter recommends that Sechirat Reshut should not be made for longer than twenty years (see Mishnah Berurah 382:48 and Netivot Shabbat 37:28 and note 20 for other opinions). The Sechirat Reshut should be conducted with every municipality that is encompassed by the Eruv. Rav Elazar Meyer Teitz of Elizabeth, New Jersey reports in a 2007 conversation that he conducted no less than seven Sechirat Reshut since the Eruv in his community is located in seven different municipalities.
10. There is great pressure on a Rav to insure that the Eruv encompass all members of the community. He must insure that expanding the Eruv does not compromise its Halachic standards and integrity and/or become too large to properly supervise.
11. Experience teaches that a community that does not yet employ a Rav should exercise great caution before it establishes an Eruv. Although there is great motivation to establish an Eruv in order to attract people to the community, without on-site rabbinic supervision Eruvin easily and quickly fall into disrepair. The involvement of a rabbi from a neighboring community might be a solution to this problem.
12. When a community is "in between rabbis" the Eruv should not be relied upon unless other rabbinic supervision of the Eruv can be insured.
13. Network and familiarize himself with the challenges and strategies of rabbis of other communities in regards to their Eruvs.
14. Be sure that the rabbis in the community agree to the Eruv in general and all its specifics (see Teshuvot Igrot Moshe Orach 4:86).
15. Dealing sensitively and effectively with those who wish to be strict and not rely on a community Eruv based on Biur Halacha 345:7 s.v. V'Yeish Omrim and Mishnah Berurah 362:59.
16. Educate the community about what does an Eruv permit and what it does not permit such as carrying umbrellas and ball playing.
17. Insures that the community is well-informed about the boundaries of the Eruv and that members know to avoid those streets where one can easily stray out of the Eruv.
18. Makes a great effort to insure that the Eruv is designed in a manner that community members will not be confused and mistakenly carry outside the Eruv. When feasible try to follow Rav Mordechai Willig's practice to include

“back-ups” for the Eruv (especially for somewhat “unstable” or “fickle” portions of the Eruv) in case of failure.

19. Note: The Chezkat Kashrut of an Eruv can be disturbed (Rei’uta) in many situations, such as a flood, car accident, construction or utility pole repair. In all such cases the areas affected must be carefully inspected as perhaps the contours of the banks of rivers, utility poles, fences and the like very possibly have changed.

**20. MOST IMPORTANT – the Rav needs to educate himself in the area of Eruvin and seek an appropriate mentor who can share practical insight to enable him to reach the level of expertise necessary to maintain a Kosher Eruv.**

21. Any suspicion or concern the Rav has regarding the Eruv should be raised with the Posek. If something seems to be wrong it very likely is wrong. One should not assume that the Posek reviewed the Eruv and thus there is no need for concern – the matter may simply have escaped the notice of the Posek.

22. Rav Schachter has commented that as time goes along, efforts should be made to insure that if possible, Hiddurim should be introduced to the Eruv.

23. Rabbanim should insure that over time the opposite of #22 not occur – that the Kashrut level of the Eruv deteriorate.

### **Eruv Inspectors**

1. Optimally the Eruv inspectors should be Talmidei Chachamim who are well-versed in the theory and practice of Hilchot Eruvin. At minimum, they should be God fearing Jews who are highly scrupulous in their observance of Jewish Law who will inspect the Eruv meticulously (see Rav Asher Bush’s Teshuvot Sho’el BiShlomo number 12, based on Rama Y.D. 127:3).
2. They should never make any changes or repairs to the Eruv without consulting the local Rav.
3. They must have a through knowledge and understanding of every detail of the Eruv so that they should be able to spot a potential problem in the Eruv. Their knowledge of Hilchot Eruvin should be sufficient for them to know when to alert the local Rav to a problem.
4. Experience teaches that when Eruv inspectors do not know exactly how the Eruv works the Eruv falls into disrepair. They cannot inspect that which they do not know what to inspect! This regrettably happens in “complex” portions of Eruvin. Rabbanim must insure that Eruv inspectors know how each portion of the Eruv works.
5. They must record where the Eruv is most vulnerable and must inform the Rav of recurrent problems in specific locations.
6. They must be alert to specific Halachic issues that arise for time to time, such as entangling of wires in trees during springtime, cable wires becoming pulled out of alignment when they are attached to homes and that the appearance of a brand new utility pole often signals that the Eruv has been compromised.

7. They must not (except for unusual circumstances) drive a car and inspect the Eruv simultaneously. They will either not drive properly or not inspect the Eruv properly (or both) if they inspect the Eruv while driving.
8. Candidates for Eruv inspectors should be tested to determine competency in this task.
9. The Rav and Posek should be consulted as to whether the Eruv can be inspected earlier than Friday in case of great need (see Teshuvot Doveiv Meisharim 2:28 who states that Eruvin must be inspected on Friday).

### **The Community of Users**

1. It must realize that the maintenance of a community Eruv requires a very significant amount of time, resources and effort devoted to the Eruv on an ongoing basis. The price of a kosher Eruv is eternal vigilance. All too often communal enthusiasm regarding an Eruv wanes after it is constructed. Ongoing attention insures that the Eruv does not fall into disrepair.
2. It should, as suggested by Rav Hershel Schachter, be aware of the route of the Eruv so that they can alert potential problems such as utility pole construction to their Rav and Eruv committee. The following illustrates the astuteness of Rav Schachter's recommendation. I once heard on a traffic report on a Thursday night that there was a downed utility pole in a community that is located twenty five miles from where I reside. I happened to know that the Eruv in that community ran along the street mentioned on the radio report and informed the Rav of that community. It turned out that the Eruv was disturbed by this incident and my call enabled the community to repair the Eruv in time for Shabbat.
3. Might consider adopting the practice of the Elizabeth, New Jersey Jewish community, initiated by Rav Pinchas Teitz, to declare the Eruv not to be in operation once a year to educate the community that carrying is forbidden on Shabbat. Otherwise a generation is raised not knowing the about the prohibition to carry on Shabbat (see Eruvin 59a). For example, a woman who grew up in a community surrounded by an Eruv told me that she never knew that there is a difference between Shabbat and Yom Tov with regard to Hotza'ah. In Elizabeth, each year the Eruv is declared to be down on the Shabbat following Parashat Zachor. This Shabbat would be a fine opportunity for Rabbanim in a community to discuss the basic rules of the Eruv and the precise borders of the Eruv. Not all Rabbanim, though, favor this practice.
4. Network and familiarize themselves with other communities' challenges and strategies with Eruvin
5. Deal with the broader community (both Yisrael and Nochri) with intelligence and sensitivity.
6. A good notification system needs to be put in place to inform the community of a problem, especially at the last minute.
7. An Eruv map should be posted on the web as well as in a prominent place in the shuls of the community.
8. Must be prepared to assist the Rav in various tasks such as charting the details

of the Eruv route.

9. Makes sure that the Eruv is properly funded and properly insured.
10. Properly manages, in cooperation with the community Rav, issues concerning potential expansion of the Eruv and those who are not included in the Eruv (problem: some people purchase a house just outside the Eruv since the price will be significantly lower and then hope to successfully pressure the local Eruv committee to expand and include them in the Eruv).

### **Partial List of Issues to be Discussed with the Posek**

1. Is the area encompassed defined as a Karmalit or Reshut HaRabim (Gray Matter 1:165-180)?
2. Are Delatot required and how should they be constructed (Netivot Shabbat chapter 23)?
3. Are Delatot suitable to be closed sufficient or are Tzurot HaPetach required to supplement them (Beit Yitzchak 25:76-77)?
4. The acceptability of Delatot that are opened on Shabbat but are suitable to be closed (Beit Yitzchak 25:73).
5. Are any of the highways encompassed by the Eruv classified as a Reshut HaRabim (Gray Matter 1:166)?
6. Excluding highways and bridges from the Eruv (Beit Yitzchak 25:81-83).
7. The issue of “ground levels” (Journal of Halacha and Contemporary Society 5:21-23).
8. Are any areas included in the Eruv defined as a Karpeif (Gray Matter 1:192-194)?
9. Relying on “Tachuv”, horizontal wire that passes through the vertical pole (Gray Matter 1:184-185).
10. Precise Definitions of “Tachuv” (Teshuvot Minchat Shlomo 2:35:25).
11. Wires that sag and/ or sway in the wind (Gray Matter 1:188-189).
12. The maximum distance between Lechis (the different views of Rav Moshe Feinstein, Rav Schachter and Rav Eider-Rav Heinemann)?
13. Maximum size of a Lechi (Netivot Shabbat 19:17).
14. Size and strength of a Lechi (Imrei Baruch).
15. Lechis that are “Mei’achorei HaKotel” (B’Ikvei HaTzon number 12).
16. What types of materials are acceptable for use as a Lechi (Sha’ar HaTziyun 363:22 and the Contemporary Eruv p.70 note 141 – ask about a thick paint in case of very great need).
17. The use of stop signs and other “non-rabbinic” structures as Lechis (Rav Heinemann’s approach based on Rav Aharon Kotler).
18. Lechis that serve “L’Achzukei Tikrah” (Beit Yitzchak 25:94-96).
19. What precisely is defined as a legitimate extension of both a horizontal pole and the vertical pole (Rav Heinemann based on Rav Kotler)?
20. Relying on “Lavud” and “Gud Achit Machitzta” in regards to the vertical pole (Chazon Ish O.H. 79:11 challenging Chatam Sofer and see Netivot Shabbat 19:26).
21. Must Lechi extend all the way to the wire (Gray Matter 1:182)?

22. How often must utility wires and other “non-rabbinic” or “preexisting” components of the Eruv, such as buildings, fences or river banks, be inspected (judgment call of the Eruv’s Posek)? Note comment above regarding a Rei’uta to the Chezkat Kashrut of such components of an Eruv.
23. How to determine the precise location of the Lechi – eyesight or plumb line (Gray Matter 1:182:184)?
24. Must the surface area beneath a Tzurat HaPetach be flat (Beit Yitzchak 25:98-99)?
25. Be certain that “Gud Asik Mechitzta” is measured straight up and not according to the angle of the Lechi (Chazon Ish 71:6). **This is a very common problem!**
26. Are obstructions between the Lechi and the Eruv wire acceptable (Gray Matter 1:185-186 and Imrei Baruch)?
27. How much change in direction of the Eruv wire is acceptable (Gray Matter 1:189)?
28. How slanted may the vertical or horizontal wires be (Gray Matter 1:191)?
29. Placing a Tzurat HaPetach in a Reshut HaYachid (Gray Matter 1:187-188 and Imrei Baruch).
30. The issue of Tzurat HaPetach that one cannot easily walk through (Teshuvot Har Zvi O.C. 2:18:10, Netivot Shabbat 19:9 and note 25 and Imrei Baruch).
31. Using a tree as a Lechi (Rav Schachter permits placing the horizontal wire on the primary “V” of the tree).
32. Relying on the bottom of a tapered pole in case of extraordinary need (Chazon Ish O.C. 71:12 rejects this option).
33. The location of the Eruv Chatzeirot (in the Shul or in a private home or both, see Gray Matter 1:196).
34. Precise placement of the Lechi at a point of a wire changing direction (and when to place two Lechis on one pole to catch the change of direction).
35. How precisely to conduct the Sechirat Reshut and with whom to conduct it (Gray Matter 1:197-199 and Imrei Baruch).
36. The appropriate length of time for a Sechirat Reshut (Mishnah Berurah 382:48 and Netivot Shabbat 37:28 and note 20).
37. The issue of “Siluk Mechitzot” (B’Ikvei HaTzon 13:8).
38. Usage of highway overpasses as “Pi Tikrah Yored V’Sotem” (Teshuvot Igrot Moshe O.C. 1:140 and Imrei Baruch).
39. Be on guard for situations that are defined as “Nifratz B’Milu’oh” and “Nifratz L’Makom HaAssur Lo” (Netivot Shabbat 14:6 and Journal of Contemporary Society 5:21).
40. Managing a “Pitcha B’Keren Zavit” and precise definitions of what constitutes a “Pitcha B’Keren Zavit” (Netivot Shabbat 14:4 and Imrei Baruch).
41. The gap allowed in a place where people commonly pass and how to correct that gap, if the gap is less than ten Amot does one Lechi suffice (Mishna Berurah 363:111 and Teshuvot HaElef Lecha Shlomo number 159)?
42. The gap allowed in an Eruv composed of Tzurot HaPetach (Bi’ur Halacha 363:6 s.v. Tzarich).

43. Minimum area that a Tzurat HaPetach or Mechitzah must cover (Rav Schachter, personal conversation in 1989, is concerned when there is a wall within four Tefachim of a Tzurat HaPetach in the direction that is encompassed by the Eruv).
44. Precise definitions of a “Tel HaMitlakeit” (Beit Yitzchak 25:83-84).
45. Definitions of an Amah and a Tephach (Encyclopedia Talmudit 20:659).
46. May the Eruv be inspected earlier than Friday (Teshuvot Doveiv Meisharim 2:28 and the Contemporary Eruv p. 89 note 181)?
47. Inspecting the Eruv for Yom Tov (Shulchan Aruch O.H. 618:1).
48. Asking a Nochri to fix the Eruv on Shabbat (Mishna Berurah 276:25).
49. Informing the community if on Shabbat it is discovered that the Eruv is down (Rav Ezra Schwartz’s essay in the Spring 2004 issue of the Journal of Halacha and Contemporary Society).
50. Relying on leniencies accepted by the previous Rav of the community (B’Ikvei HaTzon number 12).
51. Maximum amount of area that may be encompassed by the Eruv (Teshuvot Igrot Moshe O.C. 1:139:6).
52. One side of the Eruv ending with beach (Ba’eir Heiteiv 363:9 and Imrei Baruch).
53. Managing a sea wall and beaches (Shulchan Aruch O.C. 363:29).
54. Relying on utility workers to report a wire being fixed (Ne’emanut of an Uman and/or Milta D’avid L’galuyei).

### **Highly Recommended Reading**

1. Netivot Shabbat by Rav Yaakov Blau.
2. Hilchot Eruvin by Rav Elimelech Lange.
3. Halachos of the Eruv by Rav Shimon Eider.
4. The Contemporary Eruv by Rav Gavriel Bechhoffer.
5. Rav Hershel Schachter’s essay in the Spring 1983 edition of the Journal of Halacha and Contemporary Society, and Teshuvot number 12 and 13 in his B’Ikvei HaTzon.
6. Rav Mordechai Willig’s essay in volume 25 of Beit Yitzchak.
7. Dr. Bert Miller’s (of Baltimore) Eruv Manual.
8. Gray Matter Volume One (pages 165-199).
9. The Mekorot cited in each of these works especially from the Mishna Berurah and Chazon Ish.
10. Rav Baruch Simon’s Imrei Baruch on Eruvin.

### **A Parting Thought**

In contemporary Orthodox communities in North America an Eruv is an expected amenity and the responsibility falls on the community Rav to properly maintain the Eruv. Indeed, the Halacha expects that an Eruv should be established whenever it is possible to do so (see Eruvin 67b-68a, Mordechai Eruvin number 515, Teshuvot HaRosh 21:8, Teshuvot Chatam Sofer Orach Chaim 89 and Teshuvot Har Zvi O.C. 2:24). However,



not all community members are sufficiently sensitized to the time and effort that is necessary to achieve the goal of maintaining a kosher community Eruv. Many if not most Rabbanim are severely overburdened and cannot in most cases be expected to maintain the Eruv without abundant and generous communal support. The support must be both financial and willingness to devote time to insure its success. On the other hand, community members cannot be expected to successfully maintain an Eruv at an appropriate Halachic level unless the local Rav is involved with the Eruv on an ongoing basis. The synergy of Rav and community will insure that our Eruvin remain at the same high standards it was at the time of its creation.

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**Rabbi Jachter is frequently consulted regarding the construction and maintenance of community Eruvin. He has built Eruvin from scratch, redesigned Eruvin and improved existing Eruvin. Among the communities he has assisted are Allentown, Pennsylvania; Ann Arbor, Michigan; Bayside, Queens; Bradley Beach, New Jersey; Camp Dinah; Englewood, New Jersey; Linden, New Jersey; Longmeadow, Massachusetts; Mount Freedom, New Jersey; Overland Park, Kansas; Oakland, California; Pelham Parkway, Bronx, New York; Roslyn Heights, New York; Sacramento, California; San Francisco, California; Scarsdale, New York; Stamford, Connecticut; Teaneck, New Jersey; Tenafly, New Jersey; Vancouver, Canada and West Orange, New Jersey.**